

Message Text

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PAGE 01 STATE 205463

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ORIGIN L-03

INFO OCT-01 EUR-12 ISO-00 CU-02 EB-07 COME-00 AID-05

CEA-01 CIAE-00 FRB-03 INR-07 NSAE-00 CIEP-01 SP-02

STR-04 TRSE-00 LAB-04 SIL-01 SAM-01 OMB-01 OES-06

IO-13 /074 R

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R 182040Z AUG 76

FM SECSTATE WASHDC

TO AMEMBASSY BRUSSELS

INFO USMISSION EC BRUSSELS

AMEMBASSY THE HAGUE

AMEMBASSY LUXEMBOURG

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E.O. 11652:N/A

TAGS: EEC, FTRD, SCUL

SUBJECT: CUSTOMS UNION STANDARD UNDER FLORENCE AGREEMENT

REF: (A) BRUSSELS 7696; (B) DEPTTEL 189040

1. APPRECIATE INFORMATION PROVIDED BRUSSELS 7696 AND COPIES
OF REGULATIONS SENT BY POUCH. WE CONFIRM THAT CORRECT
REFERENCE IN DEPTTEL 189040 IS TO EC BRUSSELS 6743.

2. WE HAVE EXAMINED REFERENCES AVAILABLE IN MONITEUR BELGE
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PAGE 02 STATE 205463

AND ANALYZED SITUATION AS FOLLOWS:

BELGIUM PARLIAMENT CONSIDERED FLORENCE AGREEMENT IN 1954-55 AND ADOPTED ON JUNE 23, 1955, PROPOSED BILL APPROVING AGREEMENT (ANNEXED THERETO);

ON JULY 25, 1958 BILL WAS SIGNED BY KING AND CABINET AND ORDERED TO BE PUBLISHED IN THE MONITEUR BELGE, BUT PUBLICATION OF LAW AND ANNEXED AGREEMENT IN THE MONITEUR BELGE WAS HELD UP UNTIL JANUARY 15, 1958 (SEE FOR FOREGOING PAGE 273 MONITEUR BELGE OF JANUARY 15, 1958). ACCORDINGLY, AGREEMENT DID NOT ENTER INTO FULL FORCE AND EFFECT IN BELGIUM UNTIL JANUARY 15, 1958. THIS WOULD FIT IN WITH THE FACT THAT ALTHOUGH BELGIUM SIGNED THE AGREEMENT NOVEMBER 22,

1950, IT DID NOT DEPOSIT ITS INSTRUMENT OF RATIFICATION UNTIL OCTOBER 31, 1957 AND UNDER ARTICLE XII(2) BELGIUM HAD THREE MONTHS THEREAFTER TO TAKE MEASURES TO PUT AGREEMENT INTO EFFECT DOMESTICALLY. FURTHER, IT WAS NOT UNTIL MINISTERIAL DECREE OF FEBRUARY 17, 1960, SET FORTH IN MONITEUR BELGE OF FEBRUARY 18, 1960, PAGES 1024-1041 THAT STANDARD WAS ADOPTED OF TERRITORY OF BENELUX FOR APPLICATION OF DUTY FREE ENTRY OF SCIENTIFIC INSTRUMENTS AND APPARATUS (PAGE 1033) EFFECTIVE MARCH 1, 1960 (PAGE 1041).

3. WE WOULD APPRECIATE YOUR VIEWS ON ABOVE ANALYSIS. IN THIS CONNECTION WE NOTE THAT MAY 21, 1952, IS DATE OF ENTRY INTO FORCE OF FLORENCE AGREEMENT NOT FOR BELGIUM BUT FOR 10 COUNTRIES WHICH HAD THERETOFORE DEPOSITED INSTRUMENTS OF RATIFICATION. INSTRUMENTS OF RATIFICATION WERE DEPOSITED INDIVIDUALLY BY BELGIUM, NETHERLANDS, AND LUXEMBOURG OCTOBER 31, 1957.

4. WE REMAIN INTERESTED IN ANY MATERIAL IN EMBASSY FILES ALONG LINES REQUESTED PARA 4 DEPTTEL 189040 OR ADVICE THAT NONE EXISTS. IF ANY RELEVANT FILES HAVE BEEN RETIRED TO US, PLEASE IDENTIFY BY LOT NO. AND FOLDER CAPTION. KISSINGER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: POLICIES, DUTY FREE ENTRY, RELATIONS WITH REGIONAL ORGS, EDUCATIONAL MATERIALS, FLORENCE AGREEMENT
Control Number: n/a
Copy: SINGLE
Draft Date: 18 AUG 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ShawDG
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE205463
Document Source: CORE
Document Unique ID: 00
Drafter: EMAURER:MFM
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760317-1027
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760841/aaaabjow.tel
Line Count: 98
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN L
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 76 BRUSSELS 7696, 76 STATE 189040
Review Action: RELEASED, APPROVED
Review Authority: ShawDG
Review Comment: n/a
Review Content Flags:
Review Date: 05 APR 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <05 APR 2004 by CunninFX>; APPROVED <12 AUG 2004 by ShawDG>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CUSTOMS UNION STANDARD UNDER FLORENCE AGREEMENT
TAGS: ETRD, SCUL, US, BE, EEC
To: BRUSSELS
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006